

# EXHIBIT G

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**From:** Assmus, Richard M.  
**Sent:** Wednesday, July 09, 2014 12:42 PM  
**To:** Mangi, Adeel A. (x2563); 'Storm, Vivian (x7624)'  
**Cc:** Zalesin, Steven A. (x2110); Zarlenga, Carmine R.; Roodman, David (daroodman@BryanCave.com)  
**Subject:** RE: Blue Buffalo: Scheduling Plan and Protective Order

Adeel and Vivian—

Thank you for the revised 26(f) report and protective order. This e-mail will address all of the open issues, including the ESI plan and Adeel's e-mail on the exchange of early discovery.

First, attached are revisions to the 26(f) report, which should be largely self-explanatory. The case schedule remains an open issue, and we have drafted this revision to show competing proposals. We'll also need to confirm we have an agreement on the ESI plan (more on that below) and address the early discovery if an agreement can be reached (also more below).

Second, your latest edits to the draft protective order are acceptable.

Third, attached please find edits to the ESI plan. It may make sense to discuss these by phone.

Finally, in response to Adeel's e-mail on early discovery, Purina remains willing to make the exchange on July 23, which is an accommodation to Blue Buffalo given that no discovery requests to Purina are in fact pending and that Blue Buffalo has indicated that it has no relevant testing documents. Since discovery is now open and both parties are free to serve discovery requests, we don't see any reason to burden the Court with consideration of your motion for expedited discovery and therefore hope that the compromise will be acceptable. In that regard, we can confirm that the production would include the test results on which the complaint relied along with document sufficient to reflect the information in your proposed expedited document request no. 3.

Rich

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**From:** Storm, Vivian (x7624) [<mailto:vstorm@pbwt.com>]  
**Sent:** Monday, July 07, 2014 12:23 PM  
**To:** Assmus, Richard M.

**Cc:** Zalesin, Steven A. (x2110); Mangi, Adeel A. (x2563); Zarlenga, Carmine R.; Roodman, David  
([daroodman@BryanCave.com](mailto:daroodman@BryanCave.com))

**Subject:** FW: Blue Buffalo: Scheduling Plan and Protective Order

Dear Richard,

Thank you for sending us the draft Scheduling Plan and revisions to the Protective Order. Our revisions are attached here in clean and in redline. A few notes on our revisions follow. We are also available to discuss these drafts at your convenience.

Protective Order

There are two outstanding issues on the protective order:

- It is not acceptable to us for confidential material to be freely shared with witnesses who are "expected" to testify. There should be no need to show Blue Buffalo documents to Nestle Purina witnesses to help them prepare for "expected" testimony and even if such situations arise they can also be dealt with on a case-by-case basis. As you may know, the original draft protective order we provided was based on the Court's own template. This template permits disclosure of confidential documents to persons who authored them or previously received them. It does not contemplate or allow for a provision such as the one you propose.
- In our previous draft we substituted claw back provisions pursuant to 502(d) for the standard claw back provisions. These claw back procedures (paragraph 11 of the attached draft) would apply to confidential information. We note your draft includes a separate provision addressing the same issue with different procedures (your proposed paragraph 10). We are concerned that having duplicative claw back procedures for confidential information would create uncertainty as to which governs. We suggest one uniform 502 procedure.

Scheduling Plan

- Expert witnesses. We do not understand the need to have a closing date for expert depositions in advance of the close of expert discovery. If Purina has issues it wishes to raise by motion at that time it can certainly do so, as can any party, but setting aside 10 days to address problems that have not arisen strikes us as unnecessary.
- Discovery schedule. We appreciate that your revised discovery schedule is now closer to complying with the Track 2 discovery and dispositive motion limits. While we continue to believe that the standard Track 2 discovery and dispositive motion limits are appropriate for this case, the attached draft includes new proposed compromise dates that we hope you can agree to. In the event that we are not able to reach agreement on this schedule, then we will submit our original proposal as Blue Buffalo's position.

Best regards,  
Vivian

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